

OLL 85-3419
5 November 1985

MEMORANDUM FOR THE RECORD

SUBJECT: Meeting with SSCI Staff Members - S. 1815

1. On November 4, 1985, I met with Gary Chase, Daniel Finn and Larry Kettlewell, staff members of the Senate Select Committee on Intelligence (SSCI). The purpose of our meeting was to discuss S. 1815. This bill was introduced on October 28, 1985 by Senators Hatch and Kennedy and referred to the Committee on Labor and Human Relations of which Senator Hatch is Chairman. S. 1815 would ban the private use of polygraphs in employment situations. It mirrors, somewhat, its House counterpart, H.R. 1924, which is currently awaiting the granting of a rule in the House for floor consideration. On the House side, I am in contact with the bill's proponents to clarify the bill's exemption for the Agency contractors.

2. I noted that S. 1815 on its face is not directed towards the government. In fact, it is directed at entities "engaging in interstate commerce" which, of course, by definition excludes the government. In addition, it has a very broad exemption for the "United States", states, cities and localities. It also has an exemption for contractors of the Department of Defense (DoD) with access to classified information and, in connection therewith, makes a reference to the Department of Defense Authorization Act for Fiscal Year 1986 and that bill's authorization of certain counterintelligence polygraph examinations for DoD employees/contractors. S. 1815 does not, however, have an exemption for contractors of an agency within the intelligence community. I noted that such an exemption was needed.

3. Gary Chase suggested a letter to Senator Hatch from the Director of Central Intelligence noting the problem and providing language for a suggested "fix". Larry Kettlewell concurred in that and also noted that the Deputy Director for Central Intelligence (DDCI) might raise it at a meeting he was having on Wednesday, November 6, 1985 with Senator Hatch. I said that I was unaware of the purpose of the DDCI's meeting

with the Senator and, further, was not sure that the DDCI would want to raise the issue at that time. In any event, however, I indicated that we would review the matter and be in contact with them.

STAT

Legislation Division
Office of Legislative Liaison

Distribution:

Original - Leg/Sub - Polygraph

1 - D/OLL

1 - DD/OLL

1 - OLL Chrono

1 - Signer

LEG/OLL: (6 Nov 1985)

STAT